G. R. S. IX-5]

Previous references.

1891-92

192 .

(L. 82)

Later references.

File No. 183-91

Serial Nos.

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 14.

M Part B for February 1893

SUBJECT.

Appeal of Kalley Gowda and 2 Honnegowdas of Madigarahosahalli village in Kasaba tal. praying that either of them may be appointed patel of the said village —

No. 20, The Deputy Commissioner, Mysore.

No. 13620 / P.Z. 256-92 — S. 13/16. 2. 1893.

Directing that petitioners may be referred to the Patel their right, if they have got any claim to the office by a regular suit —

WD 2233--G PB—20,000—11-6-20

Mr. Narasimha Murthi

Mysore -

2

Appeal No: 39 of 1892-93

Appellts:
1. Kalle'gauda
2. Cheune'gauda
of Madgura-
-hosahalli
Kristarappet M,
Mysore District

1. Kempe-
gauda
vs
2 Basava

Claim to the Pateli of the
Madgura hosa halli village-
Rule I cl-(1) of the Addl:
Rules.

Linge'gauda the father of the
2d: Appellant Cheune'gauda
was the registered Pateli. The
Pateli Register of 1867-8 con-
-tains his name. He
died during the famine
of 1876-7. He left 3 sons,
viz (1) Chelava, (2) Singri
& (3) Cheune'gauda (2d Appellt)
The first two died issueless.
After the death of his father,
the 2d: Appellant left the
place & went to his
relation's house in Chinya
in

The Hon'ble Mr. Justice Mahmood.

Kempe Sunda (1st Respt.) who is the Patel of the neighbouring village of Vasantapur began to look after the work of Madgaon household also. He did so without orders but continued to do duty till 1890 when the 2d: Appellant claimed the Patelship & requested that his uncle Kalle Sunda (1st: Appellant) might be appointed as Talkari Patel. The Collector accordingly approved of the nomination but before the Collector formally appointed Kempe Sunda, the Subordinate Judge ordered that Kempe Sunda should continue The Appellants appealed to the Dy Comr: who dismissed the appeal on 25th April 1892

This is the 2d: appeal against the Dy Comrs order - The appellants allege -

(1) That the Dy Comr was wrong in considering the claim to have been barred.

(2) That the 2d: Appellant was a minor when his

[illegible] when he was [illegible] when [illegible] the [illegible] minor.

Submitted - While recording 2d: Appts statement before the Asst: his age in 1890 is stated to be 26 or 35. He was therefore born in 55 & was about 22 in 1877 when

father died & when he went over to the Nagamangala Taluk.

(3) & that the Dy Com did not fix a date for hearing the appellts: and did not go through the records.

The point at issue is — whether Kempegowda should be removed from Nagamangala & the 1st Appellant appointed Patel as required by the 2d Appellant.

The Appellts produce copies of the orders passed by the Dy Com & the Sub-Dn Officer

The grounds on which the Dy Com's orders are based are —

(1) the facts mentioned in the Sub-Dn Officer's order shew that the 2d Appt's rights, if any, are barred.

(2) Neither of the Appellts has any right to question the nomination made by the Sub-Dn Officer.

Resp. — The name of the 1st Appellt was entered in the Register of Patels as the Patel of Nagamangala on the death of his father died

10/2/27

4

The Sub. Dn Officer observes that seeing that Kempe Sunda (1st Respt) contracted the duties for 20 years, the Karkoon Cheeroo (2nd Applt) will have to establish his right in the proper Civil Court & that till then Kempe Sunda (1st Respt) has better cheeroo to communicate his son (2nd Respt) for Mudras - hondalli

(1) [illegible]

(2) [illegible]

(1) Submitted. Hi Mis: Ro: 11/2/93

(2) Draft submitted for approval.

9/2/93

× Please see Copy

Note - The Dy Comrs order begins with the assertion that the Appellts counsel failed to appear before the Deputy to explain the facts of the Case.

9/2/93

Perused the Comrs remarks

11/2

attended to & draft submitted for approval 11/2/93

Presented in person
28/5/92

744 R/1

Appeal

Appellant

Respondent

Counsel for Appellant

Counsel for Respondent

Solicitor for Appellant

Solicitor for Respondent

Amount claimed £ s d

Amount awarded £ s d

Costs £ s d

Costs awarded £ s d

Costs paid £ s d

Costs allowed £ s d

Costs disallowed £ s d

Costs reserved £ s d

Costs to be paid £ s d

Costs to be set off £ s d

Costs to be taxed £ s d

Costs to be paid forthwith £ s d

Costs to be paid out of £ s d

Costs to be paid by £ s d

Costs to be paid to £ s d

Costs to be paid on £ s d

Costs to be paid at £ s d

Costs to be paid in £ s d

Costs to be paid within £ s d

Costs to be paid after £ s d

Costs to be paid before £ s d

Costs to be paid during £ s d

Costs to be paid pending £ s d

Costs to be paid subject to £ s d

Costs to be paid upon £ s d

Costs to be paid under £ s d

Costs to be paid over £ s d

Costs to be paid through £ s d

Costs to be paid by way of £ s d

Costs to be paid by means of £ s d

Costs to be paid by reason of £ s d

Costs to be paid by virtue of £ s d

Costs to be paid by authority of £ s d

Costs to be paid by order of £ s d

Costs to be paid by direction of £ s d

Costs to be paid by consent of £ s d

Costs to be paid by agreement of £ s d

Costs to be paid by arrangement of £ s d

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Costs to be paid by extract of £ s d

Costs to be paid by abstract of £ s d

Costs to be paid by summary of £ s d

Costs to be paid by statement of £ s d

Costs to be paid by account of £ s d

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by the deputy commissioner
without fixing a date for
hearing and sending for the
records, to appear to show
that either element of his
business during the
material time in question.

For these reasons the appeal should
be allowed and the case remitted
to the deputy commissioner with
the direction that the appellant
shall have costs here and below
and the deputy commissioner shall
make such order as may be appropriate to
deal with the liability in question.

26th January 1922

Solicitors

Mr. [illegible]

Mayhew & Co
Fleet Street
Plaintiffs

G.R.S. III—3]

Routine Notes.

[To be used only for notes, requisitions, etc., not intended for permanent reco

No 2

L. R. 181 of 191..

re- lies Petition of—

Patel Veeraya tada —

about the objection —

Connected with the Survey

No. 1 in village

Mangrauli Taluka

Containing 85 16-20

Secs of Revenue-Survey

for grant of relinquish

the Govt. portion of accretion

from the sea to Survey No

held his 20 655-3,77 1-18

vide Sat 3rd d

bork.

15/3/21.

N.B. Should routine notes be written on small slips, the notes must be copied, or slips pasted on this form.

No 132 R.

MYSORE DEWAN'S OFFICE,

PETITION DEPARTMENT.

(2)

OFFICIAL MEMORANDUM.

The accompanying Petition No. 744
dated 28th May 1892, received at the
Dewan's Office from Kalley Sunda and
Krishnay Sunda, of Hiridigarahosur
=halli in the Krishnarajapett Taluk
praying that a Sanad of Inam
may be granted to part of the
said village.

is forwarded, together with its two
enclosures, to the Deputy Commissioner
of the Mysore District for
disposal of the Proceedings
with a full report on the facts of the
case and on the points taken
in the petition.

2 The petition should be
returned.

By Order,

Draft

Chief Secretary.

BANGALORE,
11th June 1892.

18.

Sent

8

(General Serial No. 30.)

189? . 1111 S.

From Pet 212

The Deputy Commissioner
Mysore District.

3

To The Secretary to the Govt
of Mysore.

Dated 27th October 92.

Despatched

Received

Enclosures No. Petition with 3 Enclosures. Sub-Asst Commr's Letter and Enquiry Note.

General No.

No. 682

Submitting report on the petition of Kallaya Gowda and Channegowda of Madigaradahalli, Krishnarajpet Taluk.

Peth Br. Mysore
30/10/92

Returned to Mysore
Commr with
Memo
M
9/11/93

31/10/92

No-682.
In petition with its
Enc. - connected file
and letter.

(2)

Dy Commissioners' Office, Mysore
Dated 27th October 1892.

From.

A Rangasamy Iyengar Esqre
Dy Commissioner

To.

The Chief Secretary to the
Government of Mysore
Bangalore

Sir

In reply to your official memo no 132 dated 18th June last, I sent the petition of Kallay gowda and Chennégowda of Madigen Hosahalli in the Krishnarajpet Taluk, praying that either of them may be appointed Patel of the said Village, I have the honor to submit the entire proceedings of the case, together with French Rocks Sub Division officer's letter no 458 dated 12th September last, in original, which explains the facts of the Case.

The petition received with the memo under reference is resubmitted with its enclosures.

I have the honor to be
Sir
Your most obedient Servant
A Rangasamy
Dy Commissioner
Mysore

MM

No. 744/39

17/2/93

MYSORE DEWAN'S OFFICE,
PETITION DEPARTMENT,
17 February 1893

Endorsement granted to Kalle Gowda and Chenne Gowda of Madgara Hosahalli Krishna Rajpet Taluk Mysore District

in reply to their Petition Registered No. 744/39 dated 28th May 1892

Petitioners are informed that they are referred to a regular suit for the establishment of their right if any and for recovery of the Patels office they lay claim to.

2. The enclosures are returned.

"By Order"

(P. T. O)

Chief Secretary.

13/2/93

Mysore Govt. Central Press, Bangalore.—9-2-93—2000.

Copy

13620 / 13 / 12 / 93.
Pol. Sec. 9c — 16

Copy forwarded to the Deputy Commissioner Mysore District with the Circular papers noted in the margin received with this letter No. 682 dated 27th October 1892.

By order

(Sd.)

17/12

Chief Secretary

B.C.N.